

1 ROBBINS GELLER RUDMAN & DOWD LLP
DANIEL S. DROSMAN (200643)
2 SCOTT H. SAHAM (188355)
NATHAN R. LINDELL (248668)
3 SUSANNAH R. CONN (205085)
CHRISTOPHER R. KINNON (316850)
4 HEATHER G. SCHLESIER (322937)
655 West Broadway, Suite 1900
5 San Diego, CA 92101-8498
Telephone: 619/231-1058
6 619/231-7423 (fax)

7 MOTLEY RICE LLC
GREGG S. LEVIN (admitted *pro hac vice*)
8 MEGHAN S.B. OLIVER (admitted *pro hac vice*)
MAX N. GRUETZMACHER (admitted *pro hac vice*)
9 CHRISTOPHER F. MORIARTY (admitted *pro hac vice*)
MEREDITH M. WEATHERBY (admitted *pro hac vice*)
10 28 Bridgeside Blvd.
Mt. Pleasant, SC 29464
11 Telephone: 843/216-9000
843/216-9450 (fax)

12 *Co-Class Counsel for the Class*

13 [Additional counsel appear on signature page.]

14 UNITED STATES DISTRICT COURT
15
16 NORTHERN DISTRICT OF CALIFORNIA
17
18 SAN FRANCISCO DIVISION

17 In re TWITTER INC. SECURITIES
18 LITIGATION

) Case No. 3:16-cv-05314-JST (SK)

) CLASS ACTION

19 _____
20 This Document Relates To:

) STIPULATION AND ~~PROPOSED~~ ORDER
) REQUESTING ORDER CHANGING TIME

21 ALL ACTIONS.
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1 Pursuant to California Civil Local Rule 6-2, the parties, Class Representatives KBC Asset
2 Management NV (“KBC”) and National Elevator Industry Pension Fund (“NEIPF”) (collectively,
3 “Plaintiffs”) and defendants Twitter, Inc., Richard Costolo, and Anthony Noto (collectively,
4 “Defendants”), by and through their undersigned counsel of record, submit the following stipulation
5 and proposed order:

6 WHEREAS, on April 3, 2019, the Parties served discovery on Defendants, pursuant to
7 Federal Rules of Civil Procedure Rules 33 and 36, respectively (Declaration of Daniel S. Drosman in
8 Support of Stipulated Request for Order Changing Time (“Drosman Decl.”), ¶2):

- 9 • Plaintiffs’ First Set of Requests for Admission to Defendants;
- 10 • Plaintiffs’ Second Set of Requests for Admission to Defendants;
- 11 • NEIPF’s Fifth Set of Interrogatories to Defendant Twitter, Inc.;
- 12 • KBC’s Fifth Set of Interrogatories to Defendant Anthony Noto;
- 13 • KBC’s Fifth Set of Interrogatories to Defendant Richard Costolo;
- 14 • KBC’s Fifth Set of Interrogatories to Defendant Twitter, Inc.

15 WHEREAS, on April 3, 2019, Defendants served the following discovery on Plaintiffs,
16 pursuant to Federal Rules of Civil Procedure Rules 33, 34 and 36 (*id.*):

- 17 • Defendant Twitter, Inc.’s Second Set of Interrogatories to KBC and NEIPF;
- 18 • Defendant Twitter, Inc.’s Second Set of Interrogatories to NEIPF;
- 19 • Defendant Twitter, Inc.’s Third Set of Requests for Production of Documents to KBC;
- 20 • Defendant Twitter, Inc.’s Third Set of Requests for Production of Documents to NEIPF;
- 21 • Defendant Twitter, Inc.’s First Set of Requests for Admission to KBC;
- 22 • Defendant Twitter, Inc.’s First Set of Requests for Admission to NEIPF.

23 WHEREAS, the fact discovery deadline is May 3, 2019 (ECF No. 214);

24 WHEREAS, prior to the deadline to serve responses and objections to the April 3, 2019
25 discovery, the Parties, through their counsel, met and conferred and agreed to a reciprocal extension
26 of 21 days for service of the responses to this discovery, such that those responses would be due on
27 May 24, 2019 (Drosman Decl., ¶¶3-4);

28 STIPULATION AND ~~PROPOSED~~ ORDER REQUESTING ORDER CHANGING TIME - 3:16-cv-
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1 WHEREAS, the Parties further agree that any disputes regarding the responses to the April 3,
2 2019 Discovery must be filed with this Court within 14 days following service of the discovery
3 responses (*id.*, ¶5);

4 WHEREAS, absent a Stipulation by the Parties, the responses and objections to the above
5 April 3, 2019 discovery requests would be due on May 3, 2019, the same day as the fact discovery
6 deadline;

7 WHEREAS, the Parties are attempting to resolve certain disputes pertaining to the
8 aforementioned discovery (collectively, “April 3, 2019 Discovery”) and avoid burdening the Court
9 with such issues (*id.*, ¶6);

10 WHEREAS, the Parties have taken or defended eight depositions during April 2019 and will
11 take or defend an additional four depositions prior to the fact discovery deadline on May 3, 2019
12 (*id.*, ¶8);

13 WHEREAS, the Parties believe that extending the deadline to respond to discovery served on
14 April 3, 2019 to May 24, 2019 (and allowing the parties until June 7, 2019 to meet and confer and
15 move to compel if necessary) is necessary and appropriate in light of the volume of discovery served
16 in this matter and the numerous depositions that are scheduled before the May 3, 2019 fact discovery
17 deadline (*id.*, ¶8);

18 WHEREAS, the Parties further agree to extend the deadline for the Rule 30(b)(6) Deposition
19 of Defendant Twitter, Inc., which is currently noticed for May 2, 2019, until May 17, 2019, to allow
20 the Defendants adequate time to prepare their corporate designee for the deposition in light of the
21 Court’s recent order regarding Defendant Twitter, Inc.’s Motion for a Protective Order (ECF No.
22 280) (Drosman Decl., ¶7), and to extend the deadline for any motion to compel further testimony in
23 the event Twitter’s corporate designee is unprepared to testify to and including May 28, 2019;

24 WHEREAS, extending the deadline to respond to all discovery served by any party on any
25 other party on April 3, 2019 to May 24, 2019, and extending the deadline to complete Defendant
26 Twitter, Inc.’s Rule 30(b)(6) Deposition will not alter the date of any other event or deadline
27 currently scheduled in this matter besides the fact discovery deadline previously set by the Court;
28 and

STIPULATION AND ~~PROPOSED~~ ORDER REQUESTING ORDER CHANGING TIME - 3:16-cv-
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1 WHEREAS, the Parties previously have stipulated to modify time seven times in this matter
2 (*id.*, ¶9).

3 NOW, THEREFORE, the Parties hereby jointly request the Court enter an order: (i)
4 extending the deadline for the Rule 30(b)(6) Deposition of Defendant Twitter, Inc. to May 17, 2019;
5 (ii) extending the time for the Parties to respond to all discovery served on April 3, 2019 to May 24,
6 2019; (iii) extending the deadline for Plaintiffs to move to compel additional Rule 30(b)(6)
7 testimony, if necessary, to and including May 28, 2019; and (iv) allowing the Parties up to and
8 including June 7, 2019 to meet and confer and move to compel if necessary on the discovery served
9 on April 3, 2019.

10 IT IS SO STIPULATED.

11 DATED: April 29, 2019

ROBBINS GELLER RUDMAN & DOWD LLP
DANIEL S. DROSMAN
SCOTT H. SAHAM
NATHAN R. LINDELL
SUSANNAH R. CONN
CHRISTOPHER R. KINNON
HEATHER G. SCHLESIER

16 s/ DANIEL S. DROSMAN
DANIEL S. DROSMAN

17 655 West Broadway, Suite 1900
18 San Diego, CA 92101-8498
19 Telephone: 619/231-1058
20 619/231-7423 (fax)
dand@rgrdlaw.com
21 scotts@rgrdlaw.com
nlinde@rgrdlaw.com
22 sconn@rgrdlaw.com
ckinnon@rgrdlaw.com
hschlesier@rgrdlaw.com

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MOTLEY RICE LLC
GREGG S. LEVIN
MEGHAN S.B. OLIVER
MAX N. GRUETZMACHER
CHRISTOPHER F. MORIARTY
MEREDITH M. WEATHERBY
28 Bridgeside Blvd.
Mt. Pleasant, SC 29464
Telephone: 843/216-9000
843/216-9450 (fax)
glevin@motleyrice.com
moliver@motleyrice.com
mgruetzmacher@motleyrice.com
cmoriarty@motleyrice.com
mweatherby@motleyrice.com

Co-Class Counsel for the Class

BLEICHMAR FONTI & AULD LLP
LESLEY E. WEAVER
555 12th Street, Suite 1600
Oakland, CA 94607
Telephone: 415/445-4003
415/445-4020 (fax)
lweaver@bfalaw.com

Liaison Counsel

COOLEY LLP
STEPHEN C. NEAL
JOHN C. DWYER
JESSICA VALENZUELA SANTAMARIA
BRETT DE JARNETTE

DATED: April 29, 2019

s/ JESSICA VALENZUELA SANTAMARIA
JESSICA VALENZUELA SANTAMARIA

3175 Hanover Street
Palo Alto, CA 94304-1130
Telephone: 650/843-5000
650/849-7400(fax)
nealsc@cooley.com
dwyerjc@cooley.com
jvs@cooley.com
bdejarnette@cooley.com

Attorneys for Defendant Twitter, Inc.

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ATTESTATION OF SIGNATURES

Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the signatory.

DATED: April 29, 2019

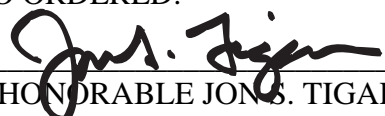
s/ DANIEL S. DROSMAN
DANIEL S. DROSMAN

* * *

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: May 1, 2019 _____



THE HONORABLE JON S. TIGAR
UNITED STATES DISTRICT JUDGE